

State: North Carolina

Citation	Condition or Requirement
1924 of the Act 435.725 435.733 435.832	<p>2. The following monthly amounts for personal needs are deducted from total monthly income in the application of an institutionalized individual's or couple's income to the cost of institutionalized care:</p> <p>Personal Needs Allowance (PNA) of not less than \$30 For Individuals and \$60 For Couples For All Institutionalized Persons.</p> <p>a. Aged, blind, disabled: Individuals \$ <u>30</u> Couples \$ <u>60</u></p> <p>For the following persons with greater need:</p> <p>Supplement 12 to <u>Attachment 2.6-A</u> describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and, where appropriate, identifies the organizational unit which determines that a criterion is met.</p> <p>b. AFDC related: Children \$ <u>30</u> Adults \$ <u>30</u></p> <p>For the following persons with greater need:</p> <p>Supplement 12 to <u>Attachment 2.6-A</u> describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and, where appropriate, identifies the organizational unit which determines that a criterion is met.</p> <p>c. Individual under age 21 covered in the plan as specified in Item B. 7. of <u>Attachment 2.2 -A</u>. \$ <u>30</u></p>

TN No. 98-03  
Supersedes

Approval Date 5/4/98

Effective Date 1/1/98

TN No. 93-10

State: North Carolina

Citation	Condition or Requirement
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For the following persons with greater need:

Supplement 12 to Attachment 2.6-A describes the greater need; describes the basis or formula for determining the deductible amount when a specific amount is not listed above; lists the criteria to be met; and, where appropriate, identifies the organizational unit which determines that a criterion is met.

1924 of the Act

3. In addition to the amounts under item 2. , the following monthly amounts are deducted from the remaining income of an institutionalized individual with a community spouse:

a. The monthly income allowance for the community spouse, calculated using the formula in §1924(d)(2), is the amount by which the maintenance needs standard exceeds the community spouse's income. The maintenance needs standard cannot exceed the maximum prescribed in §1924 (d)(3)(C). The maintenance needs standard consists of a poverty level component plus an excess shelter allowance.

X The poverty level component is calculated using the applicable percentage (set out §1924(d)(3)(B) of the Act) of the official poverty level.

       The poverty level component is calculated using a percentage greater than the applicable percentage, equal to       %, of the official poverty level (still subject to maximum maintenance needs standard).

       The maintenance needs standard for all community spouses is set at the maximum permitted by §1924(d)(3)(C).

Except that, when applicable, the State will set the community spouse's monthly income allowance at the amount by which exceptional maintenance needs, established at a fair hearing, exceed the community spouse's income, or at the amount of any court-ordered support.

TN No. 98-03  
Supersedes

Approval Date 5/4/98

Effective Date 1/1/98

TN No. 92-01

Revision: HCFA-PM-97-2  
December 1997

ATTACHMENT 2.6-A  
Page 4c  
OMB No. 0938-0673

State: North Carolina

Citation	Condition or Requirement
	<p>In determining any excess shelter allowance, utility expenses are calculated using:</p> <p><u>  X  </u> the standard utility allowance under §5(e) of the Food Stamp Act of 1977; or</p> <p><u>      </u> the actual unreimbursable amount of the community spouse's utility expenses less any portion of such amount included in condominium or cooperative charges.</p> <p>b. The monthly income allowance for other dependent family members living with the community spouse is:</p> <p><u>  X  </u> one-third of the amount by which the poverty level component (calculated under §1924(d)(3)(A)(i) of the Act, using the applicable percentage specified in §1924 (d)(3)(B) ) exceeds the dependent family member's monthly income.</p> <p><u>      </u> a greater amount calculated as follows:</p> <p>The following definition is used in lieu of the definition provided by the Secretary to determine the dependency of family members under §1924 (d)(1):</p> <p>c. Amounts for health care expenses described below that are incurred by and for the institutionalized individual and are not subject to payments by a third party:</p> <p>(i) Medicaid, Medicare, and other health insurance premiums, deductibles, or coinsurance charges, or copayments.</p> <p>(ii) Necessary medical or remedial care recognized under State law but not covered under the State plan. (Reasonable limits on amounts are described in Supplement 3 to <u>ATTACHMENT 2.6-A.</u>)</p>

TN No. 98-03  
Supersedes

Approval Date 5/4/96

Effective Date 1/1/98

TN No. New

State: North Carolina

Citation	Condition or Requirement
435.725 435.733 435.832	<p>4. In addition to any amounts deductible under the items above, the following monthly amounts are deducted from the remaining monthly income of an institutionalized individual or an institutionalized couple:</p> <p>a. An amount for the maintenance needs of each member of a family living in the institutionalized individual's home with no community spouse living in the home. The amount must be based on a reasonable assessment of need but must not exceed the higher of the:</p> <ul style="list-style-type: none"><li><input type="radio"/> AFDC level; or</li><li><input type="radio"/> Medically needy level:</li></ul> <p>(Check one)</p> <ul style="list-style-type: none"><li><input checked="" type="checkbox"/> AFDC levels in Supplement 1</li><li><input checked="" type="checkbox"/> Medically needy level in Supplement 1</li><li><input type="checkbox"/> Other: \$ _____</li></ul> <p>b. Amounts for health care expenses described below that have not been deducted under 3.c. above (i.e., for an institutionalized individual with a community spouse), are incurred by and for the institutionalized individual or institutionalized couple, and are not subject to the payment by a third party:</p> <ul style="list-style-type: none"><li>(i) Medicaid, Medicare, and other health insurance premiums, deductibles, or coinsurance charges, or copayments.</li><li>(ii) Necessary medical or remedial care recognized under State law but not covered under the State plan. (Reasonable limits on amount are described in Supplement 3 to <u>ATTACHMENT 2.6-A.</u>)</li></ul>
435.725 435.733 435.832	<p>5. At the option of the State, as specified below, the following is deducted from any remaining monthly income of an institutionalized individual or an institutionalized couple:</p> <p>A monthly amount for the maintenance of the home of the individual or couple for not longer than 6 months if a physician has certified that the individual, or one member of the institutionalized couple, is likely to return to the home within that period:</p> <p><input type="checkbox"/> No.</p> <p><input checked="" type="checkbox"/> Yes (the applicable amount is shown on page 5a.)</p>

TN No. 98-03  
Supersedes  
TN No. 93-10

Approval Date 5/4/98

Effective Date 1/1/98

State: North Carolina

Citation	Condition or Requirement
<u>X</u>	Amount for maintenance of home is: \$ <u>The Medically Needy</u> Income Limit - see supplement 1 to this attachment.
<u>      </u>	Amount for maintenance of home is the actual maintenance costs not to exceed \$ <u>      </u> .
<u>X</u>	Amount for maintenance of home is deductible when countable income is determined under §1924(d)(1) of the Act only if the individuals' home and the community spouse's home are different.
<u>      </u>	Amount for maintenance of home is not deductible when countable income is determined under §1924 (d)(1) of the Act.

TN No. 98-03  
Supersedes  
TN No. 93-10

Approval Date 5/4/96

Effective Date 1/1/98

Revision: HCFA-Region IV  
October 1989

ATTACHMENT 2.6-A  
Page 5(a)

STATE North Carolina

Citation	Condition of Requirement
<u>      </u> c.	The standards described above are used for individuals receiving home and community based waiver services in lieu of services provided in a medical and remedial care institution.
<u>  X  </u> d.	Definition of dependency below is used to define dependent children, parents and siblings for purposes of deducting allowances under Section 1924.
	Dependency is established if a person may be claimed as a dependent for federal or state tax purposes.

TN No. 93-10

Supersedes

TN. No. 92-01

Approval Date JUL 30 1993

Effective Date 4/1/93

STATE North Carolina

Citation

Condition or Requirement

\_\_\_\_\_ 2. A fixed standard greater than the amount which would be used if the formula described in section 1924(d)(1)(C) were used. The standard used is \$ \_\_\_\_\_.

X c. The standards described above are used for individuals receiving home and community based waiver services in lieu of services provided in a medical and remedial care institution.

d. Definition of Dependency

The definition of dependency below is used to define dependent children, parents and siblings for purposes of deducting allowances under Section 1924.

See attached page 5 (b.1.)

435.711 C. Financial Eligibility - Categorically and  
435.721 Medically Needy and Qualified Medicare  
435.831 Beneficiaries and Qualified Disabled Working  
Individuals

Except as provided under section 1924 of the Act the policies reflected in C. items 1-5 apply. See Supplement 13 for additional policies relative to Section 1924.

1902(1) or the Act,

P.L. 99-643  
(Section 3(b))

1. Income disregards - Categorically and Medically Needy and Qualified Medicare Beneficiaries and Qualified Disabled Working Individuals

TN. No. 91-42  
Supercedes  
TN. No. 89-17

Approval Date 11-5-91

Effective Date: 7/1/91

Dependency is established if a person may be claimed as a dependent for federal or state tax purposes.

TN. No. 89-17  
Supercedes  
TN. No. NEW

Approval Date: \_\_\_\_\_

Effective Date: 10/1/89



STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State: North Carolina

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation(s)	Condition or Requirement
42 CFR 435.711 435.721, 435.831	<p><u>C. Financial Eligibility</u></p> <p>For individuals who are AFDC or SSI recipients, the income and resource levels and methods for determining countable income and resources of the AFDC and SSI program apply, unless the plan provides for more restrictive levels and methods than SSI for SSI recipients under section 1902(f) of the Act, or more liberal methods under section 1902(r)(2) of the Act, as specified below.</p> <p>For individuals who are not AFDC or SSI recipients in a non-section 1902(f) State and those who are deemed to be cash assistance recipients, the financial eligibility requirements specified in this section C apply.</p> <p><u>Supplement 1 to ATTACHMENT 2.6-A specifies the income levels for mandatory and optional categorically needy groups of individuals, including individuals with incomes related to the Federal income poverty level--pregnant women and infants or children covered under sections 1902(a)(10)(A)(i)(IV), 1902(a)(10)(A)(i)(VI), 1902(a)(10)(A)(i)(VII), and 1902(a)(10)(A)(ii)(IX) of the Act and aged and disabled individuals covered under section 1902(a)(10)(A)(ii)(X) of the Act--and for mandatory groups of qualified Medicare beneficiaries covered under section 1902(a)(10)(E)(i) of the Act.</u></p>

TN No. 92-01

Supersedes

TN No. 89-15

Approval Date 10-21-92

Effective Date 1-1-92

Revision: HCFA-PM-91-4 (BPD)  
AUGUST 1991

ATTACHMENT 2.6-A  
Page 6a  
OMB No.: 0938-

State: North Carolina

Citation

Condition or Requirement

- ☒ Supplement 2 to ATTACHMENT 2.6-A specifies the resource levels for mandatory and optional categorically needy poverty level related groups, and for medically needy groups.
- ☐ Supplement 7 to ATTACHMENT 2.6-A specifies the income levels for categorically needy aged, blind and disabled persons who are covered under requirements more restrictive than SSI.
- ☐ Supplement 4 to ATTACHMENT 2.6-A specifies the methods for determining income eligibility used by States that have more restrictive methods than SSI, permitted under section 1902(f) of the Act.
- ☐ Supplement 5 to ATTACHMENT 2.6-A specifies the methods for determining resource eligibility used by States that have more restrictive methods than SSI, permitted under section 1902(f) of the Act.
- ☒ Supplement 8a to ATTACHMENT 2.6-A specifies the methods for determining income eligibility used by States that are more liberal than the methods of the cash assistance programs, permitted under section 1902(r)(2) of the Act.
- ☒ Supplement 8b to ATTACHMENT 2.6-A specifies the methods for determining resource eligibility used by States that are more liberal than the methods of the cash assistance programs, permitted under section 1902(r)(2) of the Act.

TN No. 94-36  
Supersedes  
TN No. 92-01

Approval Date 5-18-95

Effective Date 1-1-95

HCFA ID: 7985E